

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION**

NUCLEAR DEVELOPMENT LLC, )  
                                  )  
                                  )  
Plaintiff,                   )  
                                  )  
                                  )  
v.                             )                                   Case No.: 5:18-CV-01983-LCB  
                                  )  
                                  )  
TENNESSEE VALLEY           )  
AUTHORITY,                   )  
                                  )  
Defendant.                   )

**DEFENDANT'S OBJECTIONS TO PLAINTIFF'S DEPOSITION  
DESIGNATIONS AND COUNTER-DESIGNATIONS**

Defendant Tennessee Valley Authority (“TVA”) submits the following objections to Plaintiff Nuclear Development, LLC’s (“ND”) revised deposition designations (Doc. 184), revised counter-designations (Doc. 194), and second amended deposition designations (Doc. 215).

**Robert Coward**

ND's Designation	TVA's Objection
23:14-24:7	Hearsay.
55:4-56:2	Lack of foundation.
81:7-82:22	Not relevant.

**Marie Gillman**

<b>ND's Designation</b>	<b>TVA's Objection</b>
56:5-56:20	Not relevant.
57:10-57:14	Not relevant.
57:25-58:20	Not relevant.
60:25-61:4	Not relevant.
61:11-61:21	Not relevant.
78:12-78:22	Not relevant; calls for legal conclusion.

**Franklin Haney, Jr.**

<b>ND's Designation</b>	<b>TVA's Objection</b>
64:23-65:8	Not relevant.
65:17-66:4	Not relevant.
67:15-68:12	Not relevant.
90:23-92:10	Not relevant.
107:8-107:17	Not relevant.
108:2-109:10	Not relevant.
116:11-116:17	Not relevant.
152:1-154:18	Not relevant.

**Franklin Haney, Sr.**

<b>ND's Designation</b>	<b>TVA's Objection</b>
21:15-22:1	Not relevant.
39:5-40:4	Not relevant.
43:10-44:15	Not relevant.
100:20-103:9	Not relevant.
107:11-108:4	Not relevant.
108:22-108:25	Not relevant.
109:4-109:13	Not relevant.
113:2-113:15	Not relevant.

**William Johnson**

<b>ND's Designation</b>	<b>TVA's Objection</b>
13:8-14:13	Not relevant.
16:15-20:22	Not relevant.
23:8-23:25	Not relevant.
25:21-26:25	Not relevant.
27:9-28:4	Not relevant.
36:19-37:8	Not relevant.

37:19-38:1	Not relevant.
44:3-47:22	Not relevant.
53:17-53:23	Not relevant.
61:1-61:5	Not relevant.
64:2-65:14	Not relevant. Probative value is substantially outweighed by unfair prejudice, confusing issues, and wasting time. Concerns discovery dispute that was not submitted to the Court consistent with the Court's Initial Order
65:24-67:17	Not relevant.
68:5-70:19	Not relevant.
72:8-72:14	Lack of foundation.
73:8-73:21	Lack of foundation.
75:3-75:22	Not relevant.
77:16-78:4	Not relevant.
79:21-80:13	Not relevant.
81:10-81:18	Not relevant.
89:5-89:8	Not relevant.
91:8-91:16	Not relevant.
91:25-92:5	Not relevant.
93:5-97:20	Not relevant.
97:24-98:2	Not relevant.

99:4-101:7	Not relevant.
101:18-102:3	Not relevant.
102:14-102:17	Not relevant.
102:24-107:20	Not relevant.
109:10-109:22	Not relevant.
111:4-112:17	Not relevant.
117:8-118:22	Not relevant.
119:2-119:4	Not relevant.
130:13-132:10	Not relevant.
133:15-134:6	Not relevant.

### **Sherry Quirk**

<b>ND's Designation</b>	<b>TVA's Objections</b>
46:1-46:4	Not relevant.
47:10-47:13	Not relevant.
50:18-50:22	Not relevant.
51:11-52:18	Not relevant.
55:23-56:7	Lack of foundation.
61:2-62:1	Not relevant.

62:14-63:6	Not relevant.
67:18-69:5	Not relevant.
73:6-77:11	Not relevant. Probative value is substantially outweighed by unfair prejudice, confusing issues, and wasting time. Concerns discovery dispute that was not submitted to the Court consistent with the Court's Initial Order
79:6-79:14	Not relevant.
80:15-81:11	Not relevant.
82:23-83:1	Not relevant.
88:19-89:9	Not relevant.
92:3-92:21	Not relevant.
93:8-93:18	Not relevant.
93:23-94:20	Not relevant.
96:10-96:12	Not relevant.

Respectfully submitted this 6th day of May, 2021.

s/ Matthew H. Lembke  
Attorney for Defendant

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 6, 2021, a true and correct copy of the foregoing was filed electronically with the Clerk of Court using the CM/ECF system, which will send electronic notification of such filing to all counsel of record:

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